



Docket No. END-810

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Jeffrey D. Messerly

Serial No. : 10/047,601

Art Unit: 3737

Filed : January 14, 2002

Examiner: William C. Jung

For : BLADES WITH FUNCTIONAL BALANCE ASYMMETRIES FOR USE  
WITH ULTRASONIC SURGICAL INSTRUMENTS

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I hereby certify that this correspondence is being deposited with the  
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to: Commissioner For Patents, PO Box 1450, Alexandria, VA 22313-1450 on

March 11 2004  
(Date of Deposit)

Linda F. Hansen  
(Name of applicant, person signing, assignee, or Registered Representative)

*Linda F. Hansen*  
(Signature)

March 11 2004  
(Date of Signature)

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

FIRST SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Dear Sir:

This copy is supplemental to the Information Disclosure  
Statement mailed on May 8, 2002.

Pursuant to 37 C.F.R. §1.56 and in accordance with 37  
C.F.R. §§1.97-1.98, information relating to the above-  
identified application is hereby disclosed. Inclusion of  
information in this statement is not to be construed as an  
admission that this information is material as that term is  
defined in 37 C.F.R. §1.56(b).

Applicant(s) reserve(s) the right to establish the  
patentability of the claimed invention over any of the  
information provided herewith, and/or to prove that this

information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist.

☒ In accordance with §1.97(b), since this Information Disclosure Statement is being filed either within three months of the filing date of the above-identified national application (other than a continued prosecution application under §1.53(d)), within three months of the date of entry into the national stage of the above identified application as set forth in §1.491, or before the mailing date of a first Office Action on the merits of the above-identified application, or before the mailing date of a first Office Action after the filing of a request for continued examination under §1.114, no additional fee is required.

☐ In accordance with §1.129(a), this Information Disclosure Statement is being filed in connection with ☐ the first or ☐ second After Final Submission, therefore:

☐ Statement in Accordance with §1.97(e)  
(attached); or

☐ Please charge Deposit Account No. 10-  
0750/ / the fee of \$180.00 as set forth  
in §1.17(p).

☐ In accordance with §1.97(c), this Information Disclosure Statement is being filed after the period set forth in §1.97(b) above but before the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311, or an action that otherwise closes prosecution and that it is accompanied by one of:

- ☐ Statement in Accordance with §1.97(e) (attached); or
- ☐ Please charge Deposit Account No. 10-0750/ / the fee of \$180.00 as set forth in §1.17(p).

☐ In accordance with §1.97(d), this Information Disclosure Statement is being filed after the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311 but before the payment of the Issue Fee. Applicant(s) hereby petition(s) for consideration of this Information Disclosure Statement. Included are: Statement in Accordance with §1.97(e) as set forth below and the fee of \$180.00 as set forth in §1.17(p).

☒ Copies of each of the references listed on the attached Form PTO-1449 are enclosed herewith.

☐ Copies of references listed on the attached Form PTO-1449 are enclosed herewith EXCEPT THAT:

☐ In view of the voluminous nature of references [list as appropriate], and the likelihood that these references are available to the Examiner, copies are not enclosed herewith.

☐ If any of the foregoing publications are not available to the Examiner, Applicant will endeavor to supply copies at the Examiner's request.

☒ There are no listed references which are not in the English language.

☐ The relevance of those listed references which are not in the English language is as follows:

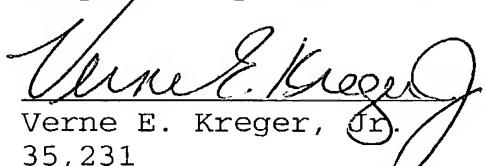
☐ Attached are copies of search report(s) from corresponding patent application(s), which are listed on the attached Submission Under MPEP 609 D.

Copies of the references listed on the search report(s) are included except for those previously cited in an IDS mailed .

☐ Attached are the following non-published pending patent applications which may be deemed relevant, which are listed on the attached Submission Under MPEP 609 D.

Please charge any deficiency or credit any overpayment to Deposit Account No. 10-0750/END-810/VEK.

Respectfully submitted,

  
Verne E. Kreger, Jr.  
35,231  
Attorney for Applicants

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One Johnson & Johnson Plaza  
New Brunswick, NJ 08933-7003  
(513) 337-3295  
DATED: March 10, 2004



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U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE  
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Substitute for form 1449A/PTO

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Sheet 1 of 5

Application Number	10/047,601
Filing Date	January 14, 2002
First Named Inventor	Jeffrey D. Messerly
Group Art Unit	3737
Examiner Name	William C. Jung
Attorney Docket Number	END-810

**U.S. PATENT DOCUMENTS**

Examiner Initials	Cite No. 1	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document mm-dd-yyyy	Pages, Columns, Lines, where relevant passages or relevant figures appear
		Number	Kind Code <sup>2</sup> (if known)			
		2,990,616		Balamuth et al.	7/4/1961	ALL
		3,053,124		Balamuth et al.	11/16/1959	ALL
		3,433,226		Boyd	3/18/1969	ALL
		3,526,219		Balamuth	09/1/1970	ALL
		3,830,240		Anteonevich et al.	8/20/1974	ALL
		3,861,391		Anteonevich et al.	1/21/1975	ALL
		3,990,452		Murry et al.	11/9/1976	ALL
		4,136,700		Broadwin et al.	1/30/1979	ALL
		4,169,984		Parisi	10/2/1979	ALL
		4,526,571		Wukchinich	7/2/1985	ALL
		4,634,419		Kriezman et al.	1/6/1987	ALL
		4,911,161		Schnecker	3/27/1990	ALL
		4,920,954		Alliger et al.	5/1/1990	ALL
		4,974,581		Wiksell	12/4/1990	ALL
		4,992,048		Goof	2/12/1991	ALL
		5,019,083		Klapper et al.	5/28/1991	ALL
		5,047,008		De Juan, Jr. et al.	9/10/1991	ALL
		5,047,043		Kubota et al.	9/10/1991	ALL
						ALL

Examiner Signature	Date Considered
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Unique citation designation number. <sup>2</sup> See attached Kinds of U.S. Patent Documents. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.



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**INFORMATION DISCLOSURE  
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(use as many sheets as necessary)

Sheet 2 of 5

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		Number	Kind Code <sup>2</sup> (if known)			
		5,057,119		Clark et al.	10/15/1991	ALL
		5,059,210		Clark et al.	10/22/1991	ALL
		5,180,363		Idemoto et al.	1/19/1993	ALL
		5,188,102		Idemoto et al.	2/23/1993	ALL
		5,205,817		Idemoto et al.	4/27/1993	ALL
		5,221,282		Wuchchinich	6/22/1993	ALL
		5,222,937		Kagawa	6/29/1993	ALL
		5,248,296		Alliger	9/28/1993	ALL
		5,312,329		Beaty et al.	5/17/1994	ALL
		5,318,570		Hood et al.	6/7/1994	ALL
		5,324,297		Hood et al.	6/28/1994	ALL
		5,324,299		Davison et al.	6/28/1994	ALL
		5,397,293		Alliger et al.	3/14/1995	ALL
		5,413,578		Zahedi	5/9/1995	ALL
		5,417,654		Kelman	5/23/1995	ALL
		5,449,370		Vaitekunas	9/12/95	ALL
		5,480,379		LaRosa	1/2/1996	ALL
						ALL

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		Number	Kind Code <sup>2</sup> (if known)			
		5,531,597		Foulkes et al	7/2/1996	ALL
		5,630,420		Vaitekunas	5/20/1997	ALL
		5,653,724		Imonti	8/5/1997	ALL
		5,669,922		Hood	9/23/1997	ALL
		5,676,649		Boukhny et al.	10/14/1997	ALL
		5,776,155		Beaupre et al.	7/7/1998	ALL
		5,873,873		Smith et al.	2/23/1999	ALL
		5,935,144		Estabrook	8/10/1999	ALL
		5,938,633		Beaupre	8/17/1999	ALL
		5,944,737		Tsonton et al.	8/31/99	ALL
		6,024,750		Mastri et al.	8/14/1997	ALL
		6,063,050		Manna et al.	5/16/2000	ALL
		D 339,415		Hood et al.	9/14/1993	ALL
		D 344,799		Hood et al.	3/1/1994	ALL
		D 345,794		Hood et al.	4/5/1993	ALL
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